

MESSAGE NO: 8302204 MESSAGE DATE: 10/28/2008

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: SCO-Scope PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-827

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/16/1994 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SCOPE RULING ON ANTIDUMPING DUTY ORDER OF CASED PENCILS FROM CHINA (A-570-827)

MESSAGE NO: 8302204

DATE: 10 28 2008

CATEGORY: ADA

TYPE: SCO

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 827

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PERIOD COVERED: 06 16 1994 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: SCOPE RULING ON ANTIDUMPING DUTY ORDER OF CASED PENCILS
FROM CHINA (A-570-827)

1. THE DEPARTMENT RECEIVED A SCOPE RULING REQUEST FROM WALGREEN CO. (WALGREENS). THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING ON OCTOBER 8, 2008, THAT WALGREENS' ARTSKILLS STENCIL KIT IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-827).

2. THE COMMERCE DEPARTMENT DETERMINED THAT THE PHYSICAL CHARACTERISTICS OF THE ARTSKILLS STENCIL KIT, THE EXPECTATION

OF THE ULTIMATE PURCHASERS, THE ULTIMATE USE, AND THE MANNER IN WHICH THE ARTSKILLS STENCIL KIT IS ADVERTISED AND DISPLAYED ARE DISSIMILAR TO CASED PENCILS SUBJECT TO THE ORDER. THEREFORE, WALGREENS' ARTSKILLS STENCIL KIT IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE OCTOBER 8, 2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JUNE 16, 1994 OF THE ARTSKILLS STENCIL KIT LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO WALGREENS' ARTSKILLS STENCIL KIT LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF WALGREEN'S ARTSKILLS STENCIAL KIT ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JUNE 16, 1994.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES/BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF CASED PENCILS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING CASED PENCILS FROM

THE PEOPLE'S REPUBLIC OF CHINA.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O8:KGH).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M.GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party